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**Children & Family Services  
Committee**

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**HB 1482**

**Brief Description:** Revising provisions on child abuse and neglect.

**Sponsors:** Representatives Dickerson, Kagi, Simpson, Appleton, Morrell, Ormsby, Moeller, Kenney, McDermott, O'Brien, McIntire and Chase.

**Brief Summary of Bill**

- Changes the definitions of "abuse or neglect" and "negligent treatment or maltreatment" of a child to include language pertaining to chronic neglect for the purposes of an investigation of child abuse or neglect.
- Permits the Department to offer voluntary services to a parent to correct the deficiencies that placed the child at risk for child abuse or neglect.
- Permits the Department to file a dependency petition if a parent fails to comply with treatment to correct the deficiencies that placed the child at risk for child abuse or neglect.

**Hearing Date:** February 7, 2005.

**Staff:** Sonja Hallum (786-7092).

**Background:**

The Department of Social and Health Services (DSHS) has the responsibility to investigate allegations of child abuse or neglect. The DSHS must investigate complaints of any recent act, or failure to act, on the part of a parent or caretaker that results in death, serious physical or emotional harm, sexual abuse or exploitation, or that presents an imminent risk of serious harm to a child.

The DSHS is required to offer services to a family based on findings of the investigation, and to bring the situation to the attention of the appropriate court or community agency, including law enforcement if a crime may have been committed against a child.

If the investigation results allegations of abandonment, abuse or neglect, or no parent who is capable of caring for a child, the Department may file a dependency petition with the court. If the court finds the statutory requirements for a dependency have been met, the court will find the child to be a dependent of the state.

**Summary of Bill:**

The definition of "abuse or neglect" is changed to include the negligent treatment or maltreatment of a child by the person responsible for caring for the child under circumstances which cause harm, or present a substantial threat of harm, to the child's health, safety, or welfare.

The definition of "negligent treatment or maltreatment" is changed to include the failure to act or the cumulative effects of a pattern of conduct or inaction that clearly demonstrates a serious disregard of consequences of such magnitude as to cause harm, or present a substantial threat of harm, to the child's physical, mental or cognitive development.

The duty of the Department is clarified to require that the Department investigate reports of child abuse or neglect when the alleged perpetrator is the guardian or legal custodian of the child, a member of the household, or other caretaker of the child.

If the investigation by the Department results in a determination that action must be taken to protect the child from abuse or neglect, the Department may enter into a voluntary agreement with the parents. If the Department finds that the parents are available and willing to participate on a voluntary basis with treatment, the Department may agree that the child remain in the home pending the completion of such services and treatment. If the parents refuse to accept or fail to obtain appropriate treatment or services, the Department may file a dependency petition.

**Appropriation:** None.

**Fiscal Note:** Requested on January 26, 2005.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.